

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION**

**MINDI SATTERFIELD,**

**Plaintiff,**

**V.**

**NEW YORK LIFE INSURANCE  
COMPANY and LIFE INSURANCE  
COMPANY OF NORTH AMERICA,**

## Defendants.

**No. 1:22-cv-1195-STA-jay**

**ORDER GRANTING DEFENDANTS' MOTION  
FOR EXTENSION OF TIME TO FILE ANSWER**

Before the Court is the parties' "stipulation," evidencing their agreement to give Defendants an extension of time in which to file their answer. (ECF No. 9.) Neither the Federal Rules of Civil Procedure nor the Local Rules of this Court provide for stipulations to extend the time in which one party must act. Rule 6(b) governs extensions of time and states that "[w]hen an act may or must be done within a specified time, *the court may*, for good cause, extend the time with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires." Fed. R. Civ. P. 6(b)(1)(A) (emphasis added); *see also AES-Apex Emp. Servs., Inc. v. Rotondo*, 924 F.3d 857, 867 (6th Cir. 2019) ("Docket control, however, is something that rests in the sound discretion of the district court."). The Local Rules do not address extensions of time generally. However, Local Rule 16.5 prohibits trial continuances based only on a stipulation of the parties and specifically requires the filing a written motion unless there is an

emergency. Local R. 16.5; Fed. R. Civ. P. 7(b) (requiring all requests for court orders to be made by motion).

The parties' agreement to extend Defendants' answer deadline is inconsistent with the Federal Rules of Civil Procedure and the Local Rules. Rule 6(b) clearly vests discretionary authority to extend time with district courts, and Rule 7(b) requires parties to a civil action to request court action through motions, not stipulations. In any event, the Court will construe the parties' stipulation as an unopposed motion for extension of time. The Motion is **GRANTED**. Defendants will have until January 12, 2023, in which to submit their answer or other responsive pleading.

**IT IS SO ORDERED.**

**s/ S. Thomas Anderson**  
S. THOMAS ANDERSON  
CHIEF UNITED STATES DISTRICT JUDGE

Date: December 14, 2022